



STATE OF CONNECTICUT

Office of Higher Education

Testimony
by
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before the
Higher Education and Employment Advancement Committee
11:00 a.m. – LOB Room 2C
Tuesday, March 4, 2014

Senator Cassano, Representative Willis, Senator Boucher, Representative LeGeyt and distinguished members of the Higher Education and Employment Advancement Committee, thank you for the opportunity to offer testimony this morning. I would like to speak to you about House Bill No. 5361 (RAISED) - AN ACT CONCERNING A STATE AUTHORIZATION RECIPROCITY AGREEMENT REGARDING DISTANCE LEARNING PROGRAMS. The bill would authorize the Office of Higher Education to participate in a nation-wide reciprocity initiative. This initiative will allow institutions of higher education from across the country to offer online programming in Connecticut without participating in our state's approval process, which exists to ensure that minimum academic standards are in place for all students.

As required by statute, our agency is dedicated to promoting the highest standards for academic quality and ensuring consumer protection for all students in Connecticut. Colleges and universities in our state benefit from some of the most rigorous standards in the nation and, as a consequence, enjoy a reputation for academic excellence that serves to attract the best and brightest students, faculty, and researchers to our state. The economy and culture of Connecticut has reaped the benefits. Any proposal that compromises the academic quality of instruction or

Our Office is concerned that the reciprocity initiative in its current form would:

- 1) Jeopardize the quality of higher education in our state,
- 2) weaken student protections, and
- 3) expose institutions of higher education to greater competition for a shrinking pool of Connecticut students.

First, let me speak to the issue of the threat to our academic quality. As I noted earlier, this bill eliminates state assessment of the academic quality of out-of-state online programs offered to Connecticut residents. This would result in a two-tiered system within the state: one system for institutions with little or no standards that offer online instruction at discount prices and another system for Connecticut institutions whose students benefit from our higher standards and greater protections. Under the agreement, online programs would receive the same authorization by our Office as those programs offered by in-state institutions. Even though the online programs may fail to meet our state standards, they will be granted state authorization through the agreement. Students, unfortunately, may be more likely to enroll in such programs if they are under the false impression that the state has taken steps to ensure that the programming meets Connecticut licensing requirements for professional practitioners or, for example, allows for the transfer of credits to state institutions. In these cases, students stand to lose the state guarantee of academic quality, as well as their money and time.

The bill's assurance of academic quality rests solely upon institutional accreditation, whether national or regional. This creates several problems.

- First, Connecticut does not permit nationally-accredited institutions to operate in our state because national accreditation standards are less rigorous than regional accreditation standards. Credits earned from nationally- accredited institutions may not transfer into our regionally-accredited institutions.

- Second, the proposed reciprocity agreements rest solely upon institutional accreditation which is a multi-year process focused on self-improvement. This process is far different from the review and accreditation of individual programs, which the state ordinarily performs. Without programmatic assessment, there is no way to assure Connecticut students that the programs they enroll in meet the myriad of different requirements for professional licensure.
- Finally, accrediting bodies are not permitted to disclose certain findings that would reveal problems at the program level. This leaves everyone – students, faculty, administrators, and the public – in the dark about potential programmatic weaknesses such as insufficient resources or faculty qualifications, and further hinders transfer.

In short, as I'm sure you would agree, lowering academic standards is not the best way to increase access to higher education in the state.

The proposed bill also contains a definition of physical presence. How we define physical presence determines whether an institution falls within a given state's authorization and oversight. According to the definition in the proposed bill (which would apply equally to institutions from non-reciprocity states), only those institutions with a physical location in the state offering "real-time instruction" would require state approval. It is unclear how "real-time" is being defined, and the distinctions contained in the bill are arbitrary and in conflict with current state thresholds. We believe that such changes to the definition would provide too many loopholes for out-of-state institutions, allowing them to offer instruction in the state without meeting the same standards and providing the same protections as their Connecticut counterparts.

More troubling still, the obligations imposed upon the Office of Higher Education by the proposed bill raise serious legal issues. For instance, the Office would be responsible for

investigating complaints against institutions located outside of the state, yet our Office does not have the legal authority to do so. Despite its statutory obligation, the state could not address the complaints of its residents enrolled in out-of-state programs through the agreement. We strongly believe that all Connecticut students deserve the same state protections, especially those students who may be enticed to enroll in distance education programs of questionable rigor and value.

Additionally, student protections would be weakened by language in the bill that removes certain advertising restrictions. According to subsection (j), for example, any person or corporation from outside of the state can use terms like “college” and “university” to identify themselves in their Connecticut advertisements. At a time when many institutions of higher education have been accused of predatory recruitment practices and false claims, this sets a dangerous precedent. We believe that all Connecticut students should be protected from any person or organization that seeks to advertise in the state as an institution of higher education. This is long-standing state policy and practice.

Further, by opening the crowded higher education market to both for-profit and non-profit institutions that are not held to any academic standards, we run the risk of placing at a competitive disadvantage our own colleges and universities that invest heavily in quality education programming. We are proud of the academic reputations of our Connecticut institutions of higher education and should not jeopardize their ability to attract and retain state students by enticing institutions of lesser quality into Connecticut, all for the sake of reducing the costs and administrative burdens of offering distance education nationwide.

In short, this proposed bill will harm our students in a variety of ways, making it easier for them to enroll in programs that fail to meet basic standards and offer comprehensive student protections. Such an agreement would encourage some institutions to seek out those states within the agreement that have the least oversight. From those states, institutions could automatically provide their services to students in other states like Connecticut that have high standards. With

so much recent discussion about questionable practices in both the for-profit and non-profit academic sectors, with state demographics leading to lower enrollment numbers at many of our state's colleges and universities, we cannot support the proposed statutory changes that will lower standards, decrease student protections, and make it easier for less reputable colleges and universities to offer their programs in Connecticut.

But let me add that despite the many problems posed by this legislation, the idea of a reciprocity agreement for the purposes of state authorization is worthy of consideration. At the very least, state regulators – who are objective experts in the field and uniquely able to see the entire higher education landscape – should be a party to the development of the agreement that they are ultimately responsible for overseeing. We believe that by continuing our discussion with other states and all interested parties we will reach a consensus that will benefit all Connecticut colleges and universities and allow for more rigorous quality assurance and student protection measures. Connecticut students deserve nothing less.

Thank you for your time and I'm happy to answer any questions you may have.